

LAND STEWARDSHIP PROPOSAL  
FOR  
FEATHER RIVER WATERSHED AREA  
BUTTE CREEK PLANNING UNIT  
CALIFORNIA DEPARTMENT OF FISH AND GAME



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Preparer:

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## PART 1 – ORGANIZATIONAL INFORMATION

### Contact Information

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#### c) Regional Manager:

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## Executive Summary

- 2.) The California Department of Fish and Game (CDFG) seeks Fee-title interest in the Butte Creek Planning Unit to manage the property as a State of California Ecological Reserve.

### Primary Purpose of Acquisition:

Acquisition of Butte Creek canyon parcels and establishment of the Upper Butte Creek Canyon Ecological Reserve is primarily to preserve and protect vital habitat that supports the largest genetically distinct sustainable population of the federal and state listed spring-run Chinook salmon. The same watershed supports federally listed Central Valley steelhead. These parcels of land provide essential habitat types that support significant biological resources, including fish, wildlife, and plant species. Ownership of the diverse canyon and ridge-top habitats would provide land management to protect from un-regulated recreational and residential development, securing managed public access for use, and enjoyment of future generations.

The mission of the California Department of Fish and Game is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. This includes habitat protection and maintenance in a sufficient amount and quality to ensure the survival of all species and natural communities. CDFG is also responsible for the diversified use of fish and wildlife including recreational, commercial, scientific and educational uses.

California Department of Fish and Game is one of California's largest landowners. The CDFG manages over 1,000,000 acres of fish and wildlife habitat in a total of 711 properties throughout the state. These properties provide habitat for a rich diversity of fish, wildlife, and plant species and comprise habitats from every major ecosystem in the state. The CDFG acquires Ecological Reserves to provide protection for rare, threatened or endangered native plants, wildlife, aquatic organism and specialized terrestrial or aquatic habitat types. Public entry and use of ecological reserves shall be compatible with the primary purposes of such reserves, and subject to applicable general rules and regulations. The CDFG oversees 130 Ecological Reserves located throughout the state, totaling over 210,938 acres. CDFG operated Ecological Reserves range from the China Point Ecological Reserve near the Oregon border to Otay Mountain, just a few miles north of the international border with Mexico.

The CDFG state operations support budget for FY 2010-11 is \$385,033,000 from all sources and includes Local Assistance of \$15,043,000. Funding for CDFG state operations comes from approximately 49 different fund sources. The CDFG budget supports 2,466.9 total personnel years, which includes temporary help. CDFG has statewide and regional specialists in many areas of expertise that can manage the proposed Ecological Reserve or provide technical assistance: wildlife biology, fisheries



biology, engineering, hydrology, fluvial geomorphology, botany, fish pathology, GIS, timber management, vegetation management, fish and wildlife education and outreach, invasive species, entomology, herpetology, statistics, water quality, water rights, and other areas.

Butte Creek is a unique watershed in that it contains the largest of the remaining genetically distinct threatened Central Valley spring-run Chinook salmon (SRCS) populations. In addition, Butte Creek Canyon is within the ranges of 30 fish and wildlife species and 16 plant species that are considered to be rare, endangered, or sensitive. The protection of critically important land is imperative for long-term ecological vitality.

The California Department of Fish and Game has decades of experience in managing the fisheries and working to improve aquatic habitat in Butte Creek, within the Butte Creek watershed. CDFG, other state and federal agencies, water districts and non-profit organizations have implemented restoration projects in the Butte Creek watershed, with the goals of improving fish passage, increasing natural salmon and steelhead production, and enhancing riparian habitat.

Upper Butte Creek canyon would be managed as an Ecological Reserve, with management directed to the protection of aquatic and riparian ecosystems, and to promoting the preservation of both plant and animal species endemic to this system. It would be open to the public for passive recreational opportunities during defined times, guided by an Ecological Reserve Land Management Plan which would be developed and adopted by the CDFG.

Important cultural and archeological values in upper Butte Creek canyon would be protected by acquisition and designation as a Ecological Reserve because development and destruction would be prevented. CDFG will coordinate with Native tribes and local entities for maintenance and ongoing protection of sites and structures.

The California Department of Fish and Game has been conserving California's wildlife since 1870. The CDFG is likely to persist indefinitely into the future and this document speaks to the organizational vitality of the CDFG and our intent to maintain the fish, wildlife, plant species and natural communities of Butte Creek for their intrinsic and ecological value and their benefits to the people of California.

### **Organization Information**

- 3.) The California Department of Fish and Game is part of the Resources Agency of the State of California.
- 4.) The California Department of Fish and Game is a government agency.
- 5.) Department of Fish and Game.



- 6.) The organization is commonly known as the California Department of Fish and Game, DFG, CDFG, Cal Fish and Game, and the Department.
- 7.) Letter attached (Part 3).

### **Rationale for Applying**

- 8.) The California Department of Fish and Game (CDFG) seeks Fee-title interest in the Butte Creek Planning Unit to manage the property as a State of California Ecological Reserve.

#### Primary Purpose of Acquisition:

Acquisition of Butte Creek canyon parcels and establishment of the Upper Butte Creek Canyon Ecological Reserve is primarily to preserve and protect vital habitat that supports the largest genetically distinct sustainable population of the federal and state listed spring-run Chinook salmon. The same watershed supports federally listed Central Valley steelhead. These parcels of land provide essential habitat types that support significant biological resources, including fish, wildlife, and plant species. Ownership of the diverse canyon and ridge-top habitats would provide land management to protect from un-regulated recreational and residential development, securing managed public access for use, and enjoyment of future generations.

Butte Creek originates in the Jonesville Basin, Lassen National Forest, on the western slope of the Sierra Nevada Mountains, at an elevation of 7,087 feet. The upper watershed area comprises approximately 140 square miles and drains from the northeast portion of Butte County. Butte Creek cascades from the mountains to the valley through steep canyons. PG&E owns two dams in the canyon which are utilized for hydroelectric generation, Butte Creek and Centerville Head Dams (CVHD). The stream in the canyon between and downstream of the dams is characterized by deep pools and steep rocky banks. There is very limited road access to most of the canyon lands. Currently, public access and use are minimal. Most of the canyon parcels are undeveloped and are adjacent to Bureau of Land Management (BLM) lands that are under special protected status.

Butte Creek contains the largest of the remaining genetically distinct threatened Central Valley spring-run Chinook salmon (SRCS) populations. The SRCS over-summer in the holding reach of Butte Creek that is approximately 11 miles in length, extending from the Quartz Bowl Pool (1/2 mi downstream of the CVHD) to the Centerville Covered Bridge. This reach often has marginal summer water temperatures that result in significant pre-spawn mortalities such as in 2003 when over 11,000 fish were estimated to have died prior to spawning. Our CDFG evaluation documented that pre-spawn mortalities are the result of high water temperatures and elevated pathogen levels, exacerbated by other



stressors such as human encroachment. Due to the potentially lethal effects of high water temperatures, particularly during the summer months, any significant increase in public access/use could exacerbate and be detrimental to the existence of a healthy SRCS population.

Besides aquatic ecosystems, the Butte Creek Planning Unit contains a wide variety of habitats, including riparian areas, oak woodlands, chaparral, pine forest, rock cliffs, and springs. These diverse habitats support hundreds of different plant and wildlife species, including a number of listed species and species requiring large tracts of undisturbed habitat. Wildlife species observed along Butte Creek are the American peregrine falcon, the northwestern pond turtle, and the foothill yellow-legged frog. Observed plant species include the Butte County fritillary, the obtuse starwort, and the white-stemmed clarkia. More common wildlife include bobcat, black bear, mink, and river otter.

The purpose of the purchase would be to place these critical ecosystems in public ownership to guarantee managed semi-primitive recreational opportunities for the use and enjoyment of future generations while protecting federal and state listed species. The Butte Creek Planning unit is at risk for development which would fragment a functioning ecosystem and substantially increase un-regulated public access that could decimate the largest remaining run of SRCS and jeopardize other listed species.

The land would be managed as an Ecological Reserve, with management directed to fish, wildlife and plant species and their habitats, particularly to the protection of state and federally listed SRCS and federally listed Central Valley steelhead, while promoting some regulated level of passive recreational opportunities. Designated areas would be open to the public during a defined timeframe to allow for regulated fishing, hiking, and some educational opportunities guided by a Management Plan with priority given to the protection of listed species.

## **Organization Mission**

- 9). The mission of the California Department of Fish and Game is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.

The CDFG maintains native fish, wildlife, plant species and natural communities for their intrinsic and ecological value and their benefits to people. This includes habitat protection and maintenance in a sufficient amount and quality to ensure the survival of all species and natural communities. The CDFG is also responsible for the diversified use of fish and wildlife including recreational, commercial, scientific and educational uses.

Public ownership will compliment the conservation efforts within the Butte Creek Planning Unit and create a nearly contiguous stretch of public land through the canyon that has significant biological resources. Most of the parcels in the canyon are adjacent to





BLM lands managed under a special protected status as an Outstanding Natural Area/Area of Critical Environmental Concern (ACEC). Of other significance, are the conservation efforts within the Butte Creek watershed to restore and protect anadromous fish, specifically the state and federally listed SRCS, and federally listed steelhead. To date approximately \$45 million has been spent on restoration activities since 1992 (not including cost of multiple studies and technical evaluations). Public ownership will compliment these restoration efforts, helping to protect aquatic species and their habitats.

Important cultural and archeological values in the Butte Creek Planning Unit would be protected by acquisition and designation as an Ecological Reserve because development and destruction would be prevented. The CDFG will coordinate with local historical societies for maintenance and ongoing protection of identified sites and structures.

A large amount of information, including webpages and downloadable PDF documents, which attest to the CDFG's commitment to stewardship of fish and wildlife resources can be found on the website: <http://www.dfg.ca.gov>.

## Geographic Focus

- 10.) The CDFG has decades of experience in managing the fisheries and guiding restoration efforts on Butte Creek. Butte Creek is one of only three Central Valley streams that continue to harbor a genetically distinct sustaining population of the threatened SRCS. The other two are nearby Deer and Mill creeks, located to the north in Tehama County. SRCS were listed as threatened under the California Endangered Species Act (CESA) and federal Endangered Species Act (ESA) during 1999. The listings were due to significant declines beginning in the late 1960's. The federal Central Valley Project Improvement Act, Public Law 102-575, 1991 (CVPIA) baseline period average for the years 1967 through 1991, was 364 adults with a high of 1,300 during 1988 and 1989, and low of 10 in 1979 (CDFG 1998).

Due to the precipitous decline in population, State and federal legislation was enacted in the late 1980's, early 1990's providing guidance for restoration activities in the Central Valley. Specifically, the state Salmon, Steelhead Trout, and Anadromous Fisheries Program Act (1988), and federal Central Valley Project Improvement Act (PL 102-575, 1991) required that all reasonable efforts be made to restore and maintain anadromous fish populations on a long-term basis. Based upon this legislative direction, restoration plans were developed by CDFG (Restoring Central Valley Streams: A Plan for Action, November 1993), and the U.S. Fish and Wildlife Service (Anadromous Fisheries Restoration Program, 1998).

Major restoration actions undertaken since about 1992 have significantly contributed to an increase in the Butte Creek spring-run salmon population and reduced the potential for extinction. To date approximately \$45 million has been spent on restoration activities since 1992 (not including cost of multiple studies and technical evaluations). Significant



commitments have been made to land and instream flow acquisitions, physical monitoring, and management of instream flows. Actions include the M&T Ranch water exchange agreement, Durham Mutual water acquisition agreement, ten real-time flow gauging stations, and dedication of CDFG personnel to monitor and manage the acquired flows.

In addition to guiding restoration actions within the Butte Creek watershed, CDFG has conducted research. The Butte Creek life history evaluation was initiated in 1995. General project objectives include: 1) documentation of spawning onset, duration, and location, 2) time and duration of emergence, 3) age at onset, and duration of juvenile emigration, 4) growth and residence time in the Butte Creek watershed, 5) emigration duration and route through the lower river and Delta, 6) ocean distribution and harvest, 7) inland escapement, age structure, and straying, 8) evaluation of pre-spawn mortalities.

## **Organizational Experience and Capacity**

The CDFG is one of California's largest landowners. These lands are managed for fish and wildlife values for the people of the State of California. Section 11 describes in general how these lands are managed, and section 12 provides scope on the lands managed by the CDFG.

- 11.) The CDFG Lands Program is responsible for assisting Regional staff in the management of over 1,000,000 acres of fish and wildlife habitat. In total the CDFG manages 711 properties throughout the state. These properties provide habitat for a rich diversity of fish, wildlife, and plant species and comprise habitats from every major ecosystem in the state. In addition, the Lands Program also administers several private lands conservation programs designed to assist landowners with the management of wetlands, riparian habitats, native grasslands and wildlife-friendly farmlands.

The Mission Statement of the Lands Program is to work in partnership with the CDFG's Regions to ensure that the state's lands are managed and maintained to provide optimal benefits for fish, wildlife, and plants by:

- Developing uniform, statewide policies and planning guidance relative to the acquisition, protection, restoration, enhancement, and management of lands;
- Providing statewide policy and programmatic coordination with conservation groups and local, state, and federal resource agencies to conserve privately owned lands;
- Developing uniform guidelines and regulations for public use and land management plans that focus on the needs of fish, wildlife, and plants.
- Providing budgetary and technical assistance to Regional land managers; and Fostering public use, knowledge, and enjoyment of lands.





It is CDFG policy to write management plans for its [Wildlife Areas](#) and [Ecological Reserves](#). Management plans are written to provide the necessary information for consistent and effective management of CDFG lands, fulfill environmental analysis requirements, and support operational and infrastructural funding. The CDFG has expended tremendous effort toward land management planning within the last several years and has received funding from recent bond acts to help accomplish this mandate. Many new properties are undergoing planning efforts, while other existing plans are being revised based on recent parcel additions, updated land management practices or any other substantive changes needed to update the original plan.

- 12.) The CDFG oversees 106 wildlife areas located throughout the state, totaling over 627,500 acres. CDFG operated wildlife areas range in size from only a few acres to the 46,482-acre Tehama Wildlife Area in Tehama County. The CDFG acquires wildlife areas to protect and enhance habitat for wildlife and to provide for public uses that are compatible with the long-term well-being of wildlife and habitat. CDFG management of these areas range from custodial care, in that the goal is to protect the area from destructive activities, to annual intensive habitat manipulation to maximize wildlife populations. While these areas still support hunting and angling, as provided for in law, they offer many more opportunities to the public who visit them. The variety of management approaches employed now has yielded a diversity of wildlife species and subsequently broadened the experiences available. The CDFG has developed informative brochures to guide visitors in activities such as bird watching, hunting, fishing and nature walks. Efforts are also underway to increase the number of informational kiosks, tour routes (viewing wildlife from an auto), observation platforms, fishing and disabled access sites.

The ecological reserve system, authorized by the California Legislature in 1968, is designed to conserve areas for the protection of rare plants, animals and habitats, and to provide areas for education and scientific research. With the acquisition and designation of Buena Vista Lagoon Ecological Reserve in 1968, the DFG began an ecological reserve system which now encompasses 130 properties totaling nearly 210,000 acres. The 130 properties of the ecological reserve system support a diversity of habitats: grasslands, wetlands, shrublands, woodlands and forests. CDFG land managers employ their expertise and a variety of management techniques in the stewardship of this diverse array of reserves. This system of reserves makes a significant contribution to the conservation of California's biological diversity by protecting important species populations and habitats, some found nowhere else in the world. California's ecological reserves also provide educational and recreational opportunities for wildlife viewing, nature walking, and fishing in areas where these activities have no adverse effect on the wildlife and habitats.

**Lands Inventory Fact Sheet**

<b>Classification<sup>1</sup></b>	<b>Number of Properties</b>	<b>Total Acreage</b>
Wildlife Areas	110	704,355
Ecological Reserves	130	210,923



Undesignated Lands	240	158,976
Public Access	159	4,907
Fish Hatcheries	21	898
Miscellaneous Lands	38	238
Marine Reserve	11	38,348
<b>Total</b>	<b>709</b>	<b>1,101,693</b>

### **Acreage administered by the Department of Fish & Game.**

<b>Primary Management Purpose<sup>2</sup></b>	<b>Owned in fee title</b>	<b>Administered through MOU'S, leases, easements, management agreements</b>	<b>Total Acreage<sup>3</sup></b>
Bighorn Sheep Habitat	32,111	235,220	267,331
Coastal Wetland Habitat	56,168	24,439	80,608
Deer Habitat	136,503	34,091	170,593
DFG Facilities	381	752	1,133
Fisheries Habitat	1,753	553	2,306
Grasslands/Uplands Habitat	20,282	11,678	31,960
Interior Wetland Habitat	120,465	35,174	155,639
Marine Habitat	0	39,192	39,192
Property Rights Only	1	0	1
Public Access	8,063	4,181	12,244
Right of Way Easements	0	0	0
Riparian Habitat	38,563	15,458	54,021
Special Habitats	50,506	42,251	92,757
T&E Species Habitat	154,608	39,300	193,097
<b>Total<sup>3</sup></b>	<b>619,403</b>	<b>482,290</b>	<b>1,101,693</b>

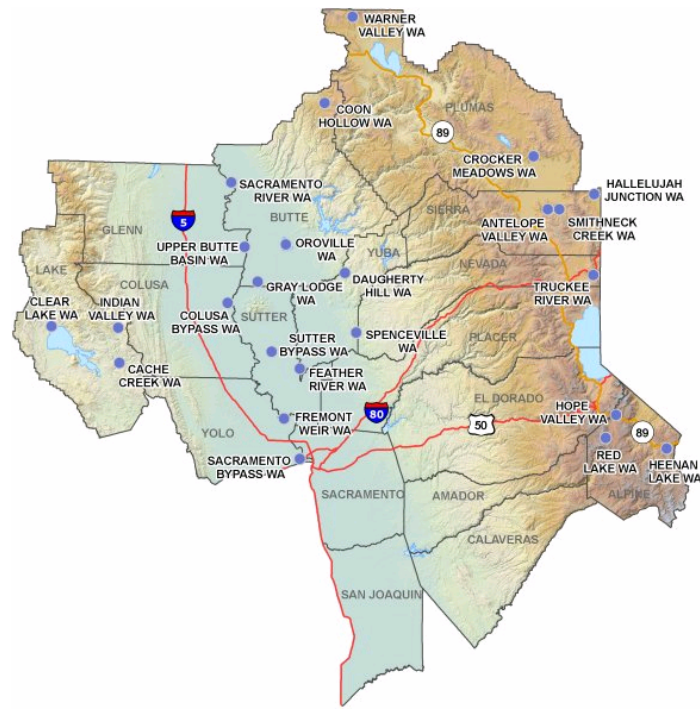
#### **Notes:**

- <sup>1</sup>Undesignated Lands classification includes conservation easements totaling 121,270 acres.
- <sup>2</sup>This is an overview of DFG-managed or owned lands, not a detailed report. Many properties have multiple management objectives; only the primary purpose is listed here.
- <sup>3</sup>Discrepancies in total acreage between tables and columns are due to rounding of numbers.

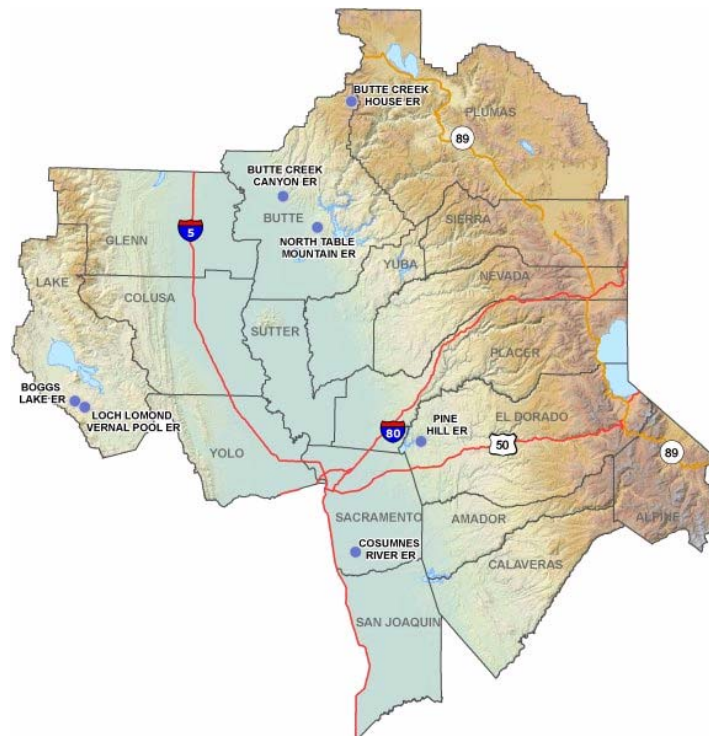


The following maps show Wildlife Areas and Ecological Reserves in the North Central Region of California managed by the CDFG, in the proximity of Butte Creek Planning Unit. The statewide system of CDFG lands can be viewed on our website: <http://www.dfg.ca.gov/lands/>.

## Wildlife Areas - North Central Region



## Ecological Reserves - North Central Region





## Organizational Finances

### 13.) The California Department of Fish and Game 2010-11 Budget Overview

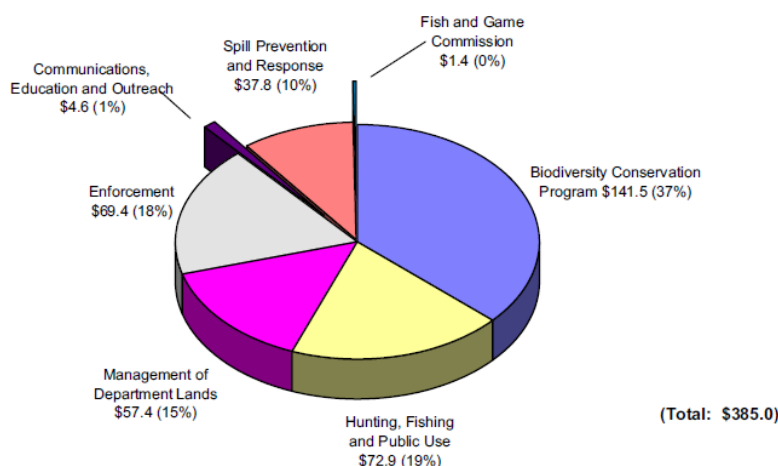
The Department state operations support budget for FY 2010-11 is \$385,033,000 from all sources and includes Local Assistance of \$15,043,000. The Capital Outlay budget for FY 2010-11 is \$2,600,000. Funding for the Department state operations comes from approximately 49 different fund sources, which includes 23 Dedicated Accounts, within the Fish and Game Preservation Fund (FGPF). In total, the Department budget supports 2,466.9 personnel years (PY), which includes temporary help.

#### Program Funding (State Operations, Local Assistance & Capital Outlay)

Program	PYs	State Operations*	Local Assistance*	Total*
20 Biodiversity Conservation	911.1	\$127,876	\$13,666	\$141,542
25 Hunting, Fishing, Public Use	510.0	\$72,907	\$0	\$72,907
30 Management of Department Lands & Facilities	415.9	\$57,358	\$0	\$57,358
40 Law Enforcement	364.8	\$69,385	\$0	\$69,385
45 Communications - Education	14.7	\$4,643	\$0	\$4,643
50 Spill Prevention & Response	241.2	\$36,421	\$1,377	\$37,798
61 Fish & Game Commission	9.1	\$1,400	\$0	\$1,400
*70 Administration	381.1	\$44,711	\$0	\$44,711
*70 Administration	-381.1	-\$44,711	\$0	-\$44,711
<b>Total Support Budget</b>	<b>2466.9</b>	<b>\$369,990</b>	<b>\$15,043</b>	<b>\$385,033</b>
Capital Outlay				\$2,600
<b>Total Department Budget</b>				<b>\$387,633</b>

\* The cost of Administration is included in program funding and is therefore, shown for display purposes only and subtracted out to avoid overstating totals.

2010-11 Proposed Program Budget (Dollars in Millions)



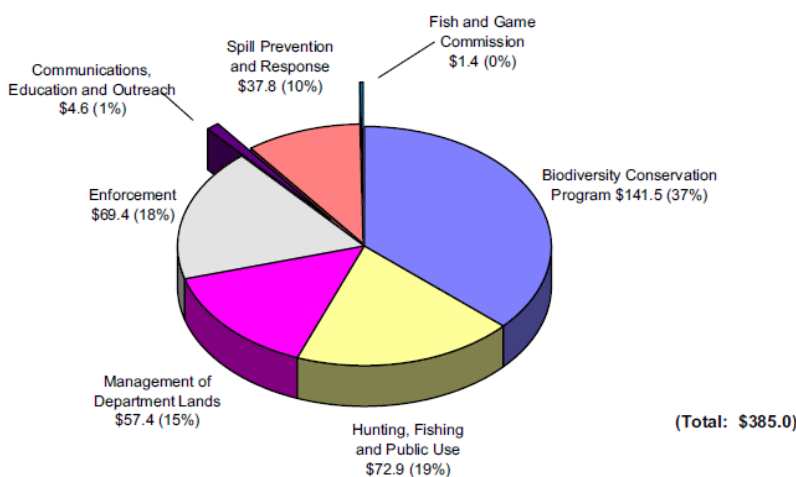


### Fund Sources (50+)

Fund Title	Total*
0001 General Fund	\$68,912
0005 Safe Neighborhood Parks, Clean Water, Clean Air, Coastal Bond Fund	\$500
0140 California Environmental License Plate Fund	\$14,905
0200 Fish and Game Preservation Fund <b>(includes 23 dedicated accounts)</b>	\$106,208
0207 Fish & Wildlife Pollution Cleanup/Abatement Account	\$2,795
0211 California Waterfowl Habitat Preservation Account	\$243
0212 Marine Invasive Species Control Fund	\$1,325
0235 Public Resources Account, Cigarette & Tobacco Products Surtax Fund	\$2,118
0320 Oil Spill Prevention and Administration Fund	\$27,037
0322 Environmental Enhancement Fund	\$356
0404 Central Valley Project Improvement Sub Account	\$58
0405 Bay-Delta Agreement Subaccount	\$2,090
0516 Harbors and Watercraft Revolving Fund	\$2,619
0546 Bay-Delta Ecosystem Restoration Account	\$10,750
0890 Federal Trust Fund	\$53,319
0942 Special Deposit Fund	\$1,606
0995 Reimbursements	\$56,886
3103 Hatchery and Inland Fisheries Fund	\$16,763
3104 Coastal Wetlands Account	\$0
6027 Interim Water Supply & water Quality Infrastructure & Management Sub Account	\$2,194
6031 Water Security; Clean Drinking Water, Coastal & Beach Protection Act of 2002	\$38,020
6051 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Prop 84)	\$11,481
8018 Salton Sea Restoration Fund	\$2,786
8047 California Sea Otter Fund	\$140
<b>Total Funds:</b>	<b>\$385,033</b>

\* dollars in thousands

2010-11 Proposed Program Budget (Dollars in Millions)







14. N/A - Fish and Game is a governmental organization
15. Funding from the WCB, State Parks, Conservation Innovation Grant Program (NRCS) & other applicable NRCS grants, McConnell Foundation, Simpson Foundation, USFWS Wildlife and Sport Fish Restoration Grant Program, Environmental Enhancement and Mitigation Program (Caltrans & Natural Resource Agency), and any other potential grant fund source applicable to watershed, wildlife, fisheries, plant and habitat enhancement, restoration and conservation will be sought to supplement funding needs for proposed enhancement activities on the Upper Butte Creek Canyon Ecological Reserve. The CDFG has received several grants from the funding sources described above for various projects. This funding cannot be sought until the CDFG owns fee title to the land.
16. The California Department of Fish and Game is proposing to acquire fee title to lands of Butte Creek. Acquiring ownership of these properties will not generate revenue. DFG purposes to seek grant funds for land management objectives.

#### **Supporting Financial Documentation (Attachments)**

2010-2011 Fish and Game Budget Fact Book  
2009-2010 Fish and Game Budget Fact Book  
2008-2009 Fish and Game Budget Fact Book

#### **Key Personnel/Staff**

- 17.) North Central Region staff positions which will have involvement with the Butte Creek Planning Unit Properties:

<u>Personnel</u>	<u>Position Title/Specialty</u>
Mr. Kent Smith	Regional Manager
<u>Fisheries:</u>	
Ms. Katherine Hill,	Environmental Program Manager
Ms. Tracy McReynolds	Staff Environmental Scientist/Anadromous Fisheries
Mr. Joseph Johnson	Senior Environmental Scientist Supervisor
Mr. Clint Garman	Associate Fishery Biologist/Anadromous Fisheries
Mr. Colin Purdy	Environmental Scientist/Anadromous Fisheries
Mr. Greg Whitaker	Fisheries Habitat Supervisor/Screen Shop
<u>Wildlife:</u>	
Ms. Tina Bartlett	Wildlife Program Manager
Mr. Jason Holley	Senior Environmental Scientist Supervisor/Wildlife



Mr. Andy Atkinson	Senior Environmental Scientist Supervisor/Lands
Ms. Henry Lomeli	Wildlife Biologist/Butte County
Mr. David Wright	Staff Environmental Scientist/Resource Assessment
Ms. Adrienne Truex	Research Analyst II/ GIS
Mr. Chris Ball	Research Analyst II/ GIS

Enforcement:

Mr. Sam Castillo	Lt. Game Warden
Mr. Josh Brennan	Game Warden
Mr. Chad Alexander	Game Warden

Environmental Services:

Mr. Jeff Drongeson	Environmental Program Manager
Ms. Jennifer Navicky	Senior Environmental Scientist Supervisor
Ms. Julie Newman	Staff Environmental Scientist/CEQA, CESA, NCCP
Ms. Jenny Marr	Staff Environmental Scientist/ CEQA,CESA,NCCP
Ms. Mary Lisa Lynch	Senior Environmental Scientist Supervisor
Ms. Beth Lawson	Civil Engineer/Hydrology
Ms. Carol Oz	Staff Environmental Scientist/Water Quality

Lake and Streambed Alteration Program:

Ms. Laurie Soule	Staff Environmental Scientist
Mr. Bob Hosea	Environmental Scientist/1600 Agreements

Conservation Education

Mr. Bruce Forman	Fish and Wildlife Interpreter III
Ms. Lori Dieter	Fish and Wildlife Interpreter II – GLWA

In addition to the regional personnel with various scopes/specialties of expertise listed, the CDFG has statewide and regional specialists in the following areas of expertise that can provide technical assistance: engineering, hydrology, fluvial geomorphology, botany, wildlife biology, wild trout management, fish pathology, GIS, impacts of timber management, vegetation management, fish and wildlife education and outreach, invasive species, entomology, herpetology, statistics, water quality, water rights, and other areas.

## **Community Engagement and Collaboration**

- 18.) Butte Creek represents a multi-agency and multi-stakeholder effort to recover spring-run Chinook salmon and steelhead as a component of anadromous fish restoration in the Central Valley. Restoration efforts have been a stakeholder-driven effort to develop mutually beneficial and acceptable alternatives to improve fish passage in Butte Creek while maintaining the viability of agriculture, recreation, seasonal wetlands and other habitats. Primary goals include restoration and maintenance of watershed function, acquire and monitor in-stream flows, complete retrofits to existing and/or new fish



ladders, install fish screens where necessary, evaluate dam removal where possible, conduct site-specific life history studies, develop adult exclusion barrier(s) to prevent straying, implement fishing regulation changes to protect anadromous fish, restore and protect key habitat for Chinook salmon holding, spawning, and rearing, and pursue property acquisition(s). The list below is a partial list of the many stakeholders that the Department has worked collaboratively with to accomplish many significant restoration actions.

**\* Partial List of Partners**

- |  |  |
|--|--|
| 1. Anadromous Fish Restoration Program (AFRP)      | 21. McGowan Ranch (MR)                                   |
| 2. Amaral Ranch (AR)                               | 22. McPherrin Ranch (MPR)                                |
| 3. Bay Delta Accord Category III (Cat. III)        | 23. Metropolitan Water District of Southern Calif. (MET) |
| 4. Butte County Fish and Game Commission (BCFGC)   | 24. M&T Chico Ranch (M&T)                                |
| 5. Butte Creek Watershed Conservancy (BCWC)        | 25. National Fish and Wildlife Foundation (NFWF)         |
| 6. Butte Slough Irrigation District (BSID)         | 26. National Marine Fisheries Service (NMFS)             |
| 7. California Bay Delta Program (CALFED)           | 27. Pacific Gas and Electric (PG&E)                      |
| 8. California Department of Fish and Game (CDFG)   | 28. Parrott Investment Co. (PIC)                         |
| 9. California Department of Water Resources (CDWR) | 29. Rancho Esquon Partners (REP)                         |
| 10. Center for Natural Lands Management (CNLM)     | 30. Reclamation District 1004 (RD 1004)                  |
| 11. California State University, Chico (CSUC)      | 31. Resources Renewal Institute (RRI)                    |
| 12. California Waterfowl Association (CWA)         | 32. Sutter Bypass Water Users Assoc. (SBWUA)             |
| 13. Ducks Unlimited (DU)                           | 33. The Nature Conservancy (TNC)                         |
| 14. Durham Mutual Water Company (DMWC)             | 34. Tracy Mitigation Fund BOR (Tracy Mit.)               |
| 15. Field and Tule Duck Club (FTDC)                | 35. United States Bureau of Reclamation (USBR)           |
| 16. Five Star Ranches (FSR)                        | 36. United States Fish and Wildlife Service (USFWS)      |
| 17. Foraker Trust (FT)                             | 37. Western Canal Water District (WCWD)                  |
| 18. Four Pumps Fund CDWR (Four Pumps)              | 38. White Mallard Duck Club (WMDC)                       |
| 19. Gorrill Ranch (GR)                             | 39. Wildlife Conservation Board (WCB)                    |
| 20. Keeney Ranch (KR)                              |  |

Without open dialect, partnerships, and support from all stakeholders preservation of Butte Creek Watershed function would be unattainable.

- 19.) Transfers of land to the CDFG are overseen by the Wildlife Conservation Board which holds publicly noticed meetings to discuss and vote on land acquisitions. The official designation of a property as a wildlife area or ecological reserve plus any site-specific public use regulations must be approved by the California Fish and Game Commission. The designation and associated regulations are publicly noticed, include a public comment period and are on the agenda at a minimum of three of the Commission's monthly, open-to-the public meetings (a "notice" meeting, a minimum of one "discussion" meeting, and a meeting where the designation and any associated regulations are voted upon). The Commission maintains contact lists of interested parties and notifies them of upcoming meetings. Relevant announcements, documents, agendas, and recordings of the meetings are available via the Commission's web site ([www.fgc.ca.gov](http://www.fgc.ca.gov)).



CDFG develops and approves Land Management Plans (LMP) for State Wildlife Areas and Ecological Reserves which document the management goals and actions to be taken on these properties. These management plans are California Environmental Quality Act (CEQA) compliant documents that guide management of habitats, species, and programs on CDFG lands to achieve the Department's mission to protect and enhance their ecological values. The LMP provides the following functions:

- Serves as a guide for appropriate public uses
- Provides a descriptive inventory of fish, wildlife, and native plant species and habitats that occur on the property
- Provides an overview of the property's operation and maintenance and personnel requirements associated with implementing management goals
- Serves as a budget planning aid for annual regional budget preparation
- Presents the environmental documentation necessary for compliance with federal and state statutes and regulations
- Describes potentially significant environmental impacts that may occur during plan implementation and identifies mitigation measures to avoid or lessen these impacts

Preparation of an LMP for a CDFG Ecological Reserve involves public notice and review under provisions of the California Environmental Quality Act (CEQA). Notification for stakeholder input can be accomplished through mailings, posting at Butte County offices, notices in local newspapers, and on the CDFG website (<http://www.dfg.ca.gov/lands/mgmtplans/index.html>). CDFG often conducts outreach to, and meets with, representatives of interested constituent groups before and during the development of LMPs. In recent years CDFG has developed or revised management plans on the following Ecological Reserves in the North Central Region: Cosumnes River and Ballona Wetlands Ecological Reserve. This process would be applied to Butte Creek should it become a CDFG Ecological Reserve.

A properly developed LMP outlines all foreseeable management goals and projects so that they are addressed in the CEQA compliant LMP. Future CEQA review for projects addressed in the plan then generally becomes minimal. However, if due to unforeseen circumstances in the future, there is consideration of a project that is not addressed in the LMP, that project would be required to undergo the CEQA process. Thus, any projects conducted or approved by the CDFG on Butte Creek property would be subject to the CEQA process and require the public review and comment as prescribed. The required environmental review imposes both procedural and substantive content requirements. An initial review of the project and its environmental effects must be conducted. If a project (such as a LMP) is found to have no significant environmental effects or if any effects are mitigated to a less-than-significant level by measures that are incorporated into the project, a negative declaration is prepared. When any project is found to have unmitigated significant effects or typically, when a project is large and/or controversial, an Environmental Impact Report (EIR) is prepared. The procedures for both types of documents include requirements for public notice and opportunity for public input.



## **Legal Compliance and Best Practices**

- 20.) The CDFG is audited and reviewed by the Department of General Services, Department of Finance, Bureau of State Audits, California State Controllers Office, Department of Personnel Administration, Attorney Generals Office, and other State agencies to insure best practices, standards, and principles of the organization ensure all operations are legally and ethically sound and in the public interest.
- 21.) The CDFG and its preceding agencies have been conserving California's wildlife since 1870. The CDFG is a department within the Natural Resources agency of the State of California, formed in 1849. The CDFG is likely to persist indefinitely into the future and has not made any provisions for assignment and assumptions of its' lands.
- 22.) There are no known current violations of law that may involve the CDFG with this project.
- 23.) No law or policy precludes the California Department of Fish and Game from accepting a conservation easement on the Butte Creek watershed lands.

## **Conflict of Interest Disclosure**

- 24.) The CDFG is a member of the Stewardship Council's Board of Directors. The CDFG has appointed Mr. Kevin Hunting as a Board Member, and Ms. Nancee Murray as an alternate. The CDFG is a member of the Stewardship Council's Planning Committee. The CDFG has appointed Mr. Kevin Hunting as a member of that committee, and Ms. Nancee Murray as an alternate. The CDFG is not aware of any personal or financial relationships between agency staff or directors and members of the Stewardship Council's board, their family members, or the board member's constituent organization.

## **PART 2 – LAND STEWARDSHIP INFORMATION**

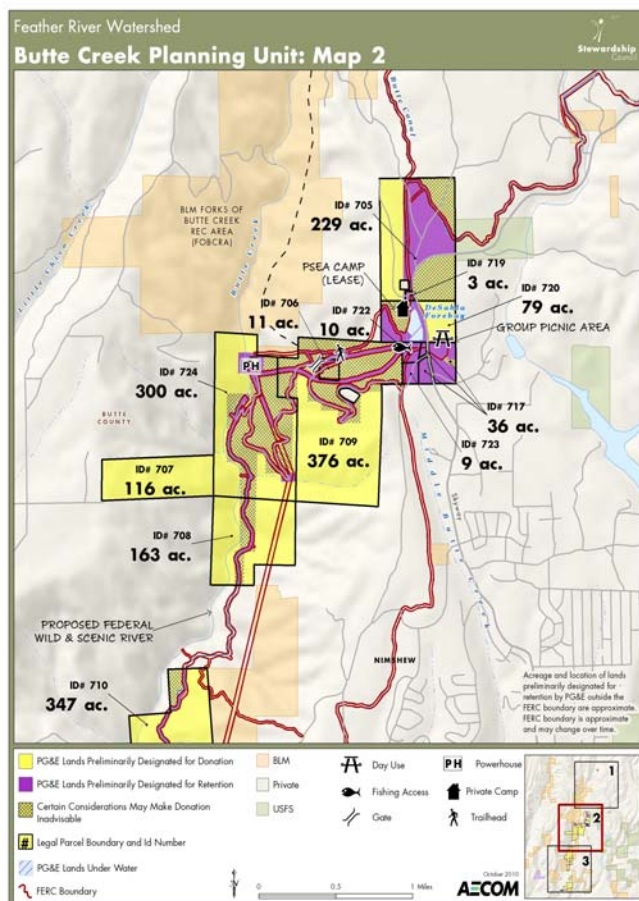
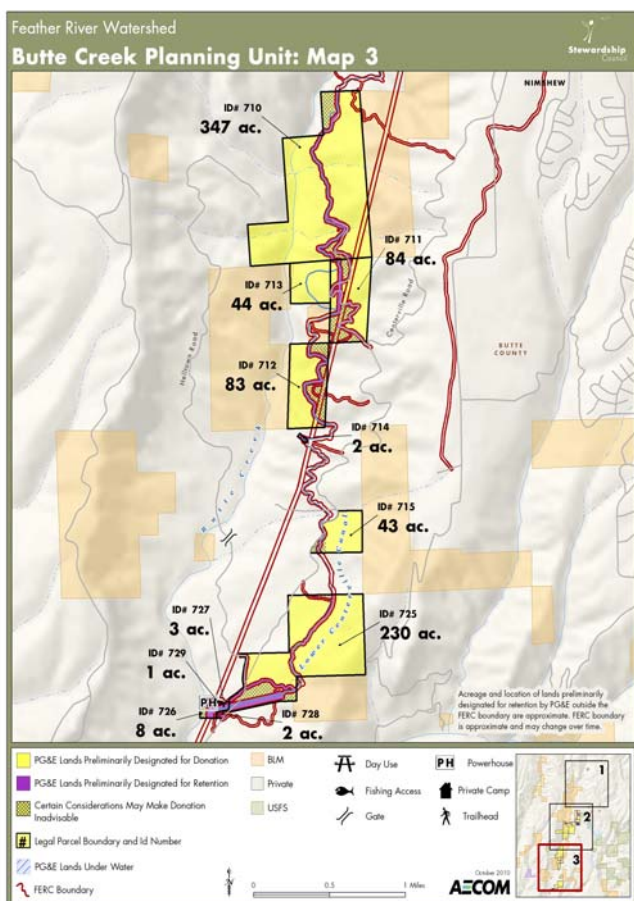
### **Land Interests Sought**

- 25.) The CDFG is interested in receiving fee title to the following Butte Creek parcels:

<u>Parcel</u>	<u>Acreage</u>
707	116
708	156
709	343
710	330
711	72



712	75
713	43
715	41
720	47
724	261
725	211
<b>TOTAL</b>	<b>1,695 acres</b>



- 26.) CDFG is aware of the need for lot line adjustments. Some of the identified parcels have been identified as constrained due to the configuration of the FERC Project boundaries, which would necessitate extensive survey and subdivision work in order to transfer fee title ownership.

Boundary surveys are required, with property boundary marking. CDFG will need an accounting from PG&E of boundary corners previously surveyed to better estimate the actual need and cost for future boundary surveys.





The boundary survey is necessary to identify accurate land ownership boundaries. In addition, property boundaries should be clearly identified to ensure the appropriate owner is taking care of management issues on their own land and to identify and facilitate potential partnership discussions when similar management needs occur on adjacent lands (e.g. shared fencing repairs, fire fuel management, etc.).

The CDFG would pursue cost sharing by requesting funds from the Land Stewardship Council as well as the Wildlife Conservation Board (WCB) to complete the remaining necessary boundary surveys and lot line adjustments; however, securing those funds is not assured.

- 27.) Each Region of the CDFG identifies acquisition priorities within their geographic boundary. Acquisition priorities are detailed in documents which are prepared by the CDFG staff for internal use. The internal documents are reviewed by regional staff and approved by the regional manager before the final approval from a statewide committee, comprised of executive staff from the CDFG and the WCB. After final approval, the documents are transmitted by the Director of the CDFG to the Executive Director of the WCB. The WCB staff completes the real estate transaction by reviewing the land acquisition documents, appraisals, title exceptions, agreements and any other associated documents. The WCB staff also coordinates with the Department of General Services (DGS) during their review and approval of the appraisal and during the DGS transaction review. The WCB staff will present the acquisition to the WCB Board during a quarterly meeting. The WCB also provides funding for escrow costs, appraisals, and associated start-up costs identified in internal acquisition documents, and the required DFG review and approval.

## **Baseline and Enhanced Land Management**

- 28.) CDFG has presented baseline and enhanced management activities in a logical progression of how Ecological Reserves are established and managed. Each paragraph has been assigned an activity number (e.g. Activity I) and can be cross-referenced with the budget estimate spreadsheet (*Upper Butte Creek Budget\_CDFG\_6-6-11.xlsx*). Each activity may have several line items in the budget spreadsheet and is identified as a baseline or enhanced activity. Activities may also be identified throughout the remainder of this document (not just here in item 28). In developing the following proposed management activities, the CDFG considered the beneficial public values and the recommended priority measures developed by the Stewardship Council.

### Ecological Reserve Management

CDFG proposes to designate the Upper Butte Creek Canyon parcels as an Ecological Reserve. Ecological reserves are established to provide protection for rare, threatened or endangered native plants, wildlife, aquatic organism and specialized terrestrial or aquatic



habitat types. Public entry and use of ecological reserves shall be compatible with the primary purposes of such reserves, and subject to applicable general rules and regulations, except as otherwise provided for in the special area regulations.

The parcels will need to be surveyed, if not completed already, to determine property lines and the CDFG's area of responsibility. The CDFG would need to develop a Land Management Plan (LMP) for the Ecological Reserve. The purpose and need for the LMP was described in section 19. The LMP would require a public review process under the California Environmental Quality Act (CEQA), including public outreach and meetings as described previously. Management plans generally include the following sections: 1. Introduction, 2. Property Description, 3. Habitat and Species Description, 4. Management Goals and Environmental Impacts, References, and Attachments. The best applicable land management practices for the Upper Butte Creek watershed lands will be identified through the LMP process. Development of the LMP should begin after acquisition of the property by the CDFG. Plans are updated periodically, and can be adjusted or changed to suit changing conditions or situations. (Activity I)

The Ecological Reserve Land Management Plan will be used to develop appropriate rules, regulations, and compatible public uses, for submission to the Fish & Game Commission, and inclusion in Title 14 for that specific Ecological Reserve. It is anticipated that fishing regulations will remain unchanged. Fishing is permitted on ecological reserves, however special regulations are necessary so that DFG can determine when this public use is appropriate and will cause no impacts to protected species and habitat as well as adhering to current fishing regulations of the commission. Parcels adjacent to Butte Creek are currently open to fishing from November 15<sup>th</sup> through February 15<sup>th</sup>. Sensitive biological sites and important cultural sites to the Mechoopda can be identified and public access restrictions initiated through the management plan and Commission process in the California Code of Regulations, Title 14. Regulations would have to be developed and adopted into California Code of Regulations, Title 14. Adoption of Ecological Reserve regulations would follow completion of the LMP. (Activity II)

CDFG will develop a baseline of existing species and then perform periodic surveys of conditions. These data can be used to evaluate ecosystem health and management. This enhanced management activity will inform future activities to enhance BPVs. A baseline inventory of existing species should be conducted soon after acquisition as an Ecological Reserve. Periodic resurveys of existing species should be conducted every 5 to 10 years, as resources permit. (Activity III)

Public access and use will be granted during defined periods of time on certain parcels acquired. Future projects could be identified to develop trails within the Ecological Reserve. Existing designated access roads and parking areas within the area will be maintained as an ongoing baseline activity and any need for seasonal restrictions or gates will be evaluated. Some roads could conceivably be decommissioned to prevent



vehicular access. The use of motor vehicles, bicycles or any other type of vehicle is prohibited on an Ecological Reserves.

CDFG, will be signatory to the Federal Energy Regulatory Commission (FERC) DeSabra-Centerville Hydroelectric Project (FERC 803) Settlement Agreement and contributes to management decisions regarding preservation, restoration and enhancement efforts in the Butte Creek watershed.

Baseline operational and maintenance expenses are expected for trail maintenance, trash removal, and signing. Trash removal can be conducted by CDFG staff, or perhaps assisted by volunteer groups coordinated by CDFG staff. Some of these activities can be conducted by CDFG fish habitat specialists or other appropriate employees. The CDFG fish habitat and screen shop can perform maintenance and has heavy equipment and can assist with restoration projects and other maintenance within the Ecological Reserve. (Activity IV)

Because the Ecological Reserve would not require intensive management, current staff levels would be adequate to conduct baseline management of the property. Periodic inspections (during the November through February accessible season) of the parcels can be made by 1) regional fishery/wildlife biologists, 2) regional lands coordinator, 3) district fishery biologist, 4) other staff as outlined in the budget spreadsheet. Patrol by the local game warden could be made without appreciable change from current activity. It would be desirable to fund and hire a seasonal employee to perform maintenance of the Ecological Reserve. (Activity V)

### Fishery Management

The state Salmon, Steelhead Trout, and Anadromous Fisheries Program Act (1988), and federal Central Valley Project Improvement Act (PL 102-575, 1991) required that all reasonable efforts be made to restore and maintain anadromous fish populations on a long-term basis. Based upon this legislative direction, restoration plans were developed by CDFG (Restoring Central Valley Streams: A Plan for Action, November 1993), and the U.S. Fish and Wildlife Service (Anadromous Fisheries Restoration Program, 1998). In coordination with other state and federal resource management agencies, CDFG has directed fishery management actions in Butte Creek. Development of the Ecological Reserve Land Management Plan will identify critical fisheries management issues and outline efforts needed to address these issues. (Activity VI)

Baseline fish and wildlife management activities would continue such as annual fish abundance and life history surveys, public outreach and communication through regulations and information posting. CDFG has surveyed Butte Creek using snorkeling and mark-recapture techniques.



The CDFG is required by statute (Fish and Game Code 6900) to monitor and restore steelhead populations, and central to this mandate is obtaining information on angler effort and harvest of both wild and hatchery steelhead. Information on angler effort and harvest is collected through the Steelhead Report Card program. The goal of this program is to improve steelhead habitat and populations, and enhance steelhead fishing opportunities and success. The Ecological Reserve could incorporate angler survey box program, informing the management of the steelhead fishery on Butte Creek. Designation of the Upper Butte Creek Canyon as a Ecological Reserve may lead to higher public use due to increased awareness of the watershed lands. This will likely result in the need to enhanced management of the fishery for the public use above that provided as a PG&E property. Fishery management will balance public use and protect the anadromous fishery resources of Butte Creek. (Activity VII)

#### Wildlife Management

CDFG will continue baseline management for a variety of game species including deer, black bear, wild turkeys, mountain quail, and blue grouse. CDFG also conducts surveys on other wildlife species such as willow flycatchers, great gray owls, and various furbearers throughout the Central Valley. Should CDFG acquire the watershed lands of Butte Creek, it is likely that wildlife biologists would conduct enhanced surveys of wildlife populations specific to Butte Creek Canyon on a seasonal basis. Surveys for rare plants will be conducted as resources allow. The results of these surveys will contribute to protection of wildlife populations and their habitat. (Activity VIII)

Butte Creek Canyon is within the winter range of the Eastern Tehama Deer Herd, the largest migratory deer herd in California. CDFG could enhance deer habitat through brush maintenance and other projects. CDFG could seek funding opportunities through grants (for habitat work on public lands), and other sources to fund restoration activities. Designation of the Butte Creek watershed lands may increase the visibility of the lands for the public. Enhanced CDFG management and restoration activities for wildlife and their habitat would occur in the Butte Creek watershed lands as a result of acquisition and designation as an Ecological Reserve. (Activity VIII)

#### Invasive Species Management

Enhanced CDFG invasive species monitoring efforts would occur in the Butte Creek watershed lands as a result of acquisition and designation as an Ecological Reserve. CDFG would provide public education on invasive species, including non-native plants, aquatic and terrestrial animals. Public education can be done at informational kiosks. Additional education of the public occurs with the media in public releases and advertisements. CDFG will conduct surveys for presence of invasive species. Non-native plant eradication efforts are very time consuming, expensive and not always successful. CDFG would identify remedial actions and seek necessary funding to implement management actions if deemed necessary. (Activity IX)



#### Law Enforcement/Warden Activity

Fish and game laws as well as Ecological Reserve regulations can be enforced by CDFG game wardens and other peace officers such as county sheriffs as baseline site security. Patrol of the Butte Creek watershed lands is accomplished as part of the normal duty of the CDFG game wardens and would be a higher priority with Ecological Reserve designation, and would not result in additional expenses to the CDFG. CDFG warden patrol would occur periodically throughout the season as needed. On occasion, warden squads can perform enhanced patrol “sting” operations should fish and wildlife enforcement problems arise. Enhanced CDFG warden patrol would occur in the Butte Creek watershed lands as a result of acquisition and designation as an Ecological Reserve.

Sensitive biological or archeological sites can be protected with area closures set into Ecological Reserve regulations; these closures can be enforced by CDFG game wardens and other peace officers as previously described. The regulatory authority would provide CDFG enhanced protection and preservation of historic values over existing management of the watershed lands. (Activity X)

#### Public Education/Outreach

Baseline public education of the Butte Creek watershed lands occurs with posting of angling regulations. Enhanced CDFG public education and outreach would occur in the Butte Creek watershed lands as a result of acquisition and designation as a Ecological Reserve. Fish and wildlife laws and regulations are posted on CDFG websites as well as public announcements and press releases: these activities constitute ongoing baseline management. Fishing regulations are posted on the CDFG website (also can be found in California Code of Regulations, Title 14):

<http://www.dfg.ca.gov/regulations/FreshFish/ccr-t14-ch3-art3.html> . Ecological Reserve regulations can be found in Title 14, California Code of Regulations, Section 630.

CDFG regional interpretive staff can provide enhanced outreach projects to interface with the public and promote understanding and support of fish and wildlife management, conservation, history of the watershed lands, and cultural resources. CDFG interpreters may work to design and install graphic interpretive signs on the Ecological Reserve to inform the public of biological and cultural features, as appropriate. (Activity XI)

#### Cultural Heritage Sites

The property is rich in Native American cultural resources. Butte Creek canyon contains plants important to Native American tribes for food and ceremonial purposes.

Archaeological surveys conducted during the re-licensing to the DeSabra-Centerville Hydroelectric Project will be used to identify the cultural resources on site to better inform the management objectives and goals. (Activity XII)



Important cultural and archeological values would be protected and preserved by the acquisition of Butte Creek parcels. Native American tribes would continue to have access to these sites, which would be protected by public ownership.

The California Department of Fish and Game has invested funds over the past decades in ongoing fisheries management and restoration projects to benefit the anadromous fish and their habitat within Butte Creek. CDFG has a great investment in Butte Creek that would be fortified through designation of Upper Butte Creek Canyon as a State Ecological Reserve. Having a designation as an Ecological Reserve, CDFG would have a greater ability to seek and obtain funding through various entities which would provide enhancements as outlined above. The CDFG is likely to persist indefinitely into the future and this document speaks to the organizational vitality of the CDFG and our intent to maintain the fish, wildlife, plant species and natural communities of Butte Creek for their intrinsic and ecological value and their benefits to the people of California.

## Physical Enhancements/ Capital Improvements

- 29.) Habitat restoration projects will provide enhancements to protect natural habitat and promote managed passive outdoor recreation by the general public. Fencing and signage will protect resources by controlling public access, and providing education. CDFG will seek funding to develop engineering and cost estimates for the more substantial of the following projects (Activity XIII):

Projects to be completed years 0 through 3:

- **Installation of gates.** It may be necessary to install gates to close roads on the proposed Ecological Reserve to restrict vehicular access.
- **Property Owner Signage.** CDFG will post property owner signs along boundaries and at entrances to identify the property. Owner signage will need to be reposted occasionally as signs age or are vandalized.
- **Angling Signage.** CDFG will post angling regulation signs at access points. Angler signage will need to be reposted annually as signs are vandalized or age, or in the case of a change in angling regulations.
- **Angler Survey Boxes.** CDFG will construct and install angler survey boxes at access points to gain additional information on catch rates and use of Butte Creek by the angling public.

Projects to be completed years 3 through 10:

- **Graphic Interpretive Signage.** CDFG will contract design and construction of graphic interpretive signage that will introduce the public to the Ecological Reserve and the biological and cultural resource values. Graphic interpretive signs may also contain historical, cultural and regulatory information specific to the Butte Creek property.





- **Fencing of Property.** It may be necessary and/or desirable to fence cultural sites identified in surveys that are threatened by the anticipated increase in public use or vandalism.
- **Improve parking areas and road/trail networks.** CDFG will develop or contract to develop engineering and cost estimates to implement plans to improve parking areas, roads, and establish new trails to minimize public use impacts.

The California Department of Fish and Game has invested funds over the past decades in projects to restore and create structures to protect and enhance fish habitat within Butte Creek. CDFG has a great investment in Butte Creek that would be fortified through designation of Upper Butte Creek Canyon as an Ecological Reserve. Having a designation as an Ecological Reserve, CDFG would have a greater ability to seek and obtain funding through various entities which would provide enhancements and capital improvements as outlined above. The CDFG is likely to persist indefinitely into the future and this document speaks to the organizational vitality of the CDFG and our intent to maintain the fish, wildlife, plant species and natural communities of Butte Creek for their intrinsic and ecological value and their benefits to the people of California.

## **Land Conservation Partners and Youth Opportunities**

- 30.) CDFG recognizes the value in establishing collaborative management of Butte Creek in strengthening the foundation for management of the Ecological Reserve in the local community. CDFG has identified the following potential land conservation partners to be involved in proposed management and enhancement activities on the Ecological Reserve (Activity XIV):

- National Marine Fisheries Service (NOAA Fisheries)
- California Trout
- Northern California Regional Land Trust (applicant for conservation easement)
- The Nature Conservancy

Other groups may include: Trout Unlimited, Northern California Council of Federation of Fly Fishers, Chico Fly Fishermen, Rocky Mountain Elk Foundation, California Deer Association, Mule Deer Foundation,

- 31.) CDFG has previous experience with proposed land conservation partners detailed below:

- National Marine Fisheries Service (NOAA Fisheries): CDFG has worked and partnered with NOAA Fisheries
- California Trout: CDFG collaboration with CalTrout has spanned decades.
- Northern California Regional Land Trust (applicant for conservation easement):



CDFG has coordinated and collaborated with the NCRLT on identifying and prioritizing parcels for public ownership and protection of fish and wildlife.

- The Nature Conservancy: CDFG has coordinated and collaborated with TNC on identifying and prioritizing parcels for public ownership and protection of fish and wildlife.

32.) CDFG has initially identified and sought letters of support and/or collaboration from the following organizations:

- National Marine Fisheries Service (NOAA Fisheries)
- California Trout
- Northern California Regional Land Trust (applicant for conservation easement)
- The Nature Conservancy

## **Public Input**

33.) The CDFG has reviewed and considered the public comments provided for the Butte Creek Planning Unit in preparation of this proposal. There were many public comments provided regarding the transfer and management of this planning unit, however, only a subset of the comments that seemed most pertinent are discussed below:

- **Public Access-** Ecological reserves are established to provide protection for rare, threatened or endangered native plants, wildlife, aquatic organism and specialized terrestrial or aquatic habitat types. Public entry and use of ecological reserves shall be compatible with the primary purposes of such reserves, and subject to applicable general rules and regulations.
- **Fire and Safety-** Ecological Reserves allow the state to regulate public use and provide the best available protection for the species and habitats the properties were acquired to protect. Since the properties contain sensitive species and important vegetation communities, and may act as linkages for other important protected lands, it is necessary and appropriate to provide this level of regulatory protection to prevent improper use and degradation of wildlife resources. In order to do this efficiently, the Department has a set of general regulations which apply to all ecological reserves.
- **Biological Resources-** The policy of the state is to protect threatened or endangered native plants, wildlife, or aquatic organisms or specialized habitat types, both terrestrial and non-marine aquatic, or large heterogeneous natural gene pools for the future use of mankind through the establishment of ecological reserves. "Ecological Reserve" means land or land and water areas that are designated as an ecological reserve by the commission pursuant to Section 1580 and that are to be preserved in a natural condition, or which are to be provided some level of protection as determined by the commission,



for the benefit of the general public to observe native flora and fauna and for scientific study or research.

- Trails- CDFG will develop or contract to develop engineering and cost estimates to implement plans to improve parking areas, roads, and establish new trails to minimize public use impacts.

## **Budget and Funding Plan**

- 34.) Please see attached Excel spreadsheet (*Upper Butte Creek Budget\_CDFG\_6-6-11.xlsx*).

Document Preparers:

Tracy McReynolds, Staff Environmental Scientist  
California Department of Fish and Game

With assistance from the following CDFG staff:

William Somer  
Jennifer Navicky  
Jenny Marr  
Henry Lomeli  
Lt. Sam Castillo  
Clint Garman



## **PART 3 – SUPPORTING DOCUMENTATION**

### **Included with Butte Creek LSP:**

1. - N/A -
2. Letter from the North Central Region Manager of Fish and Game

### **Attachments to Humbug LSP:**

#### Supporting Financial Documentation

1. 2010-2011 Fish and Game Budget Fact Book
2. 2009-2010 Fish and Game Budget Fact Book
3. 2008-2009 Fish and Game Budget Fact Book
4. Budget and funding plan: “Butte Creek Budget\_CDFG\_6-20-11.xlsx”
5. Letters from potential collaborating organizations:
  - NOAA Fisheries
  - The Nature Conservancy
  - Northern California Regional Land Trust
  - CalTrout (pending)



State of California –The Natural Resources Agency  
DEPARTMENT OF FISH AND GAME  
North Central Region  
1701 Nimbus Road, Suite A  
Rancho Cordova, CA 95670  
(916) 358-2900  
[www.dfg.ca.gov](http://www.dfg.ca.gov)

EDMUND G. BROWN, Jr. Governor  
JOHN McCAMMAN, Director



July 5, 2011

Ms. Allene Zanger  
Executive Director  
Pacific Forest and Watershed Lands Stewardship Council  
15 North Ellsworth Avenue, Suite 100  
San Mateo, CA 94401

Subject: Butte Creek Land Acquisition

Dear Ms. Zanger:

The California Department of Fish and Game (Department) seeks fee-title interest for 1,695 acres in the Butte Creek Planning unit, Butte County, to manage the property as a State of California Ecological Reserve. The purpose of acquisition is to preserve and protect vital habitat that supports the largest genetically distinct sustainable population of the federal and state listed spring-run Chinook salmon (SRCS) in the Central Valley and supports federally listed Central Valley steelhead. Butte Creek is one of the most productive streams in California. The protection of anadromous habitat in Butte Creek is paramount.

These parcels of land provide essential habitat types that support significant biological resources, including fish, wildlife, and plant species. Ownership of the diverse canyon and ridge-top habitats would provide land management to protect from un-regulated recreational and residential development, securing managed public access for use, and enjoyment of future generations. Placing the said lands into the Department's Ecological Reserve program is critical for ensuring the protection of rare species and habitats in perpetuity.

Managing the property for the protection of rare species and regulated human use is of the utmost importance to the Department. I approve the submission of the Land Stewardship Proposal and the Department's participation in the Stewardship Council's land conservation process for the Butte Creek Planning Unit.

Sincerely,



Kent Smith  
Regional Manager



June 20, 2011

Ms. Allene Zanger  
Executive Director  
Pacific Forest and Watershed Lands Stewardship Council  
San Mateo Office  
15 North Ellsworth Avenue, Suite 100  
San Mateo, CA 94401

Dear Ms. Zanger,

The Northern California Regional Land Trust (NCRLT) would like to express its support for the California Department of Fish and Game's (CDFG) fee-title interest of parcels in the Butte Creek Planning Unit, Butte County. The purpose of CDFG's interest is to preserve and protect vital habitat that supports **the largest** genetically distinct sustainable population of the federal and state listed spring-run Chinook salmon and federally listed Central Valley steelhead **in California**.

NCRLT's mission is assisting Northern California landowners and public agencies in the voluntary protection of land and other natural resources. We help willing landowners protect their land, while also helping them gain the economic benefits of conservation. We carry out our mission by negotiating conservation easements and facilitating land exchanges and land acquisitions. Placing the aforementioned parcels into CDFG's Ecological Reserve program is critical to ensuring the protection of rare species and habitats in perpetuity.

We have applied to hold conservation easement(s) in the Butte Creek Planning Unit and would favor partnering with CDFG in the management of these properties, should they be selected to hold in fee title. Our organizational experience and staff level expertise can help CDFG effectively address locally important issues. We are committed to ensuring long-term monitoring of the anadromous fishery and raising awareness about the importance of the protection on the Butte Creek fishery with CDFG, while allowing some seasonal public access and recreation opportunities.

NCRLT strongly supports the proposal by the CDFG to seek fee-title interests in the Butte Creek Planning Unit.

Thank you for your consideration and please let me know if I can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Jamison Watts".

Jamison Watts  
Executive Director





Ms. Allene Zanger  
Executive Director  
Pacific Forest and Watershed Lands Stewardship Council  
San Mateo Office  
15 North Ellsworth Avenue, Suite 100  
San Mateo, CA 94401

Dear Ms. Zanger,

June 20, 2011

The Nature Conservancy (TNC) would like to express its support for the California Department of Fish and Game's (CDFG) fee-title interest of land parcels in the Butte Creek Planning unit, Butte County, to manage the property as a State of California Ecological Reserve. The purpose of CDFG's acquisition is to preserve and protect vital habitat that supports the largest genetically distinct sustainable population of the federal and state listed spring-run Chinook salmon and federally listed Central Valley steelhead. Butte Creek is one of the most productive streams in the California Central Valley.

TNC's mission is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters that they need to survive. We carry out our mission by negotiating conservation easements and facilitating land exchanges and land acquisitions. Placing the said lands into the Department's Ecological Reserve program is critical to ensuring the protection of rare species and habitats in perpetuity. The protection of anadromous habitat in Butte Creek is paramount.

Therefore, managing the property for the protection of rare species and regulated human use is of the utmost importance to TNC. Our organizational experience and staff level expertise can help CDFG effectively address locally important issues. We are committed to ensuring long-term monitoring of the anadromous fishery and raising awareness about the importance of the protection on the Butte Creek fishery with CDFG.

TNC strongly supports the proposal by the CDFG to seek fee-title interest in Butte Creek.

Sincerely,

Ryan Luster  
Sacramento River Project Director  
The Nature Conservancy  
500 Main Street  
Chico, CA 95928

Pacific Forest and Watershed Lands Stewardship Council  
Land Stewardship Proposal Budget and Funding Plan  
Butte Creek Planning Unit

**PROJECT BUDGET - TRANSACTION COSTS**

**A. Document Preparation Costs**

Task	Unit of Measure	Number of Units	Cost/Unit	Total Cost	Funding Request	Comments
DGS Appraisal Review	Each	1	2,000.00	2,000		
DFG Staff Coordination and Document Preparation Pursuant To The Stewardship Council Land Conveyance Process	Hour	650	62.75	40,788		Internal coordination meetings, Stewardship Council coordination meetings, SOQ and LSP document preparation
DFG Regional Land Acquisition Coordinator Review/Negotiation With PG&E	Hour	30	62.75	1,883	1,883	
DFG Fisheries Staff Review/Coordination With PG&E	Hour	40	62.75	2,510	2,510	
Property Appraisal For DFG Fee Title	Each	1	6,000.00	6,000	6,000	
WCB Staff Review Of Documents/Appraisal & Coordination With The DFG/PG&E/DGS For The CDFG Fee Title Transfer & Parcel	Hour	150	63.11	9,467	9,467	WCB Review Of Documents/Appraisal & Coordination With The DFG/PG&E/DGS and presenting the acquisition at a quarterly WCB Board meeting
To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells						
<b>A. Total Document Preparation Costs</b>				<b>62,647</b>	<b>19,860</b>	

**B. Closing Costs**

Task	Unit of Measure	Number of Units	Cost/Unit	Total Cost	Funding Request	Comments
Title Insurance For The DFG Fee Title	Each	1	3,000.00	3,000	3,000	
Escrow Fees For the DFG Fee Title	Each	1	3,000.00	3,000	3,000	
Recordation For The DFG Fee Title	Each	1	50.00	50	50	
To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells						
<b>B. Total Closing Costs</b>				<b>6,050</b>	<b>6,050</b>	

**C. Other: Start Up**

Task	Unit of Measure	Number of Units	Cost/Unit	Total Cost	Funding Request	Comments
Boundary Surveys and Lot Line Adjustments (Activity I)	Each	1	100,000.00	100,000	50,000	Preliminary discussions with engineering indicate that survey costs could be between \$50,000 and \$100,000. Further information would be needed to determine exact costs.
To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells						
<b>C. Total Other</b>				<b>100,000</b>	<b>50,000</b>	
<b>TOTAL TRANSACTION COSTS</b>				<b>168,697</b>	<b>75,910</b>	

Additional Notes:

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**PROJECT BUDGET - BASELINE LAND OWNERSHIP AND MANAGEMENT ACTIVITIES (SEE NOTE 1)**

**PROJECT REVENUES**

Non- SC Sources of Funding

**Committed Funds (cash received or award made)**

Revenue Source	Description								One-Time Funding	Ongoing Funding	Comments
DFG Various Fund Sources For Personnel	Personnel costs associated with baseline management									51,200	Multiple funding sources are used for personnel detailed in this spreadsheet. More details regarding the various funding sources can be found in the LSP response to item #13. This amount can be increased to make up for other funding revenues that were not realized in any given year
<b>Total Committed Funds</b>									-	<b>51,200</b>	

**Pending Funds (no award made to date)**

Revenue Source	Description								One-Time Funding	Ongoing Funding	Comments
Grant Awards											Funding from the WCB, State Parks, Conservation Innovation Grant Program (NRCS) & other applicable NRCS grants, McConnell Foundation, Simpson Foundation, USFWS Wildlife and Sport Fish Restoration Grant Program, Environmental Enhancement and Mitigation Program (Caltrans & Natural Resource Agency), and any other potential grant fund source applicable to watershed, wildlife, fisheries, plant and habitat enhancement, restoration and conservation will be sought to supplement funding needs for proposed enhancement activities on the Butte Creek property. This funding cannot be sought until the CDFG owns fee title to the land
<b>Total Pending or Potential Funds</b>									-	-	

To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells

<b>TOTAL PROJECT REVENUES</b>									-	<b>51,200</b>	
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PROJECT EXPENSES

A. Total Baseline Management Activities

Task	Description	Unit of Measure	Number of Units	Cost/Unit	One-Time Costs	Ongoing Annual Costs	SC Funding Request		Comments
							One-Time Costs	Ongoing Annual Costs	
Waste Management (Activity IV)	removal of trash and waste associated with public use	Monthly	12	100.00		1,200.00			
Maintain Trails & Roads (Activity IV)		Annual	1	50,000.00		50,000.00			
To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells									
A. Total Baseline Management Activities					-	51,200	-	-	

B. Baseline Land Ownership Costs

Task	Description	Unit of Measure	Number of Units	Cost/Unit	One-Time Costs	Ongoing Annual Costs	SC Funding Request		Comments
							One-Time Costs	Ongoing Annual Costs	
Property Taxes		Annual	1	10,000				10,000	The DFG pays in-lieu fees subject to legislative approval, but does not normally pay property taxes. The portion of this tax that is appropriated to the County could be paid by the Stewardship Council through an endowment held by the County. The endowment amount should be sufficient to provide the regular annual tax received by the County (the County does not receive the entire \$)
To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells									
B. Total Baseline Land Ownership Costs					-	-	-	10,000	

C. Other

Task	Description	Unit of Measure	Number of Units	Cost/Unit	One-Time Costs	Ongoing Annual Costs	SC Funding Request		Comments
							One-Time Costs	Ongoing Annual Costs	
To add a row: right click on the row above -> select copy -> right click again -> select insert copied cells									
C. Total Other					-	-	-	-	

TOTAL PROJECT EXPENSES \$ 61,200.00

NET REVENUE/(EXPENSE) - BASELINE LAND OWNERSHIP AND MANAGEMENT ACTIVITIES \$ (10,000.00)

Additional Notes:

**Note 1:** According to the Stewardship Council's Land Conservation Program Funding Policy, the Stewardship Council will require future land owners to demonstrate that they have the funding and other capacity to maintain that property interest so as to preserve and/or enhance the beneficial values on the Watershed Lands. Exceptions to this guideline will be rare and considered only in circumstances where,

- 1) The funding of baseline land ownership and management activities will clearly lead to enhancement of the beneficial public values on the lands; and/or,
- 2) The funding of baseline land ownership and management activities is only temporary (≤5 years).

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**PROJECT BUDGET - ENHANCEMENTS TO BENEFICIAL PUBLIC VALUES**

**PROJECT REVENUES**

Source	Description	Non- SC Sources of Funding						One-Time Grants	Annual Funding	Comments	
Committed Funds (cash received or award made)											
DFG Various Funding							\$ 77,393.50	76,684		Multiple funding sources are used for personnel detailed in this spreadsheet. More details regarding the various funding sources can be found in the LSP response to item #13. This amount will be adjusted up if not all requested funding (detailed in spreadsheet items below) is received from the Stewardship Council.	
Total Committed Funds									-	154,079	
Pending Funds (no award made to date)											
Grant Awards										Funding from the WCB, State Parks, Conservation Innovation Grant Program (NRCS) & other applicable NRCS grants, McConnell Foundation, Simpson Foundation, USFWS Wildlife and Sport Fish Restoration Grant Program, California Wildlife Foundation, Environmental Enhancement and Mitigation Program (Caltrans & Natural Resource Agency), and any other potential grant fund source applicable to watershed, wildlife, fisheries, plant and habitat enhancement, restoration and conservation will be sought to supplement funding needs for proposed enhancement activities on the Butte Creek property. This funding cannot be sought until the CDFG owns fee title to the land.	
Total Pending or Potential Funds									-	-	
To add a row: right click on the row above -> select copy -> right click again ->select insert copied cells											
TOTAL PROJECT REVENUES						\$ 77,393.50	76,684	-	154,079		

**PROJECT EXPENSES**

**A. Enhanced Land Management Activities**

Task (Activity # from LSP)		Description	Unit of Measure	Number of Units	Cost/Unit	One-Time Costs		Ongoing Annual Costs		Comments
Prepare/Submit Grant Funding Proposals for Enhanced Land Management Activities		Staff Environmental Staff and other staff to prepare grant proposals and coordinate with grant programs to obtain necessary funding to implement proposed enhancement activities	Hour	240	\$ 62.75			\$ 15,060.00		Each grant proposal will take approximately 80 hours to prepare, including coordination with sub-contractors for estimated budgets and engineered plans for Enhanced Land Management Activities proposed. This cost could be associated with the Land Management Plan/CEQA development and approval process, timber harvesting assessment, stream and meadow enhancements and creation of baseline report.
DFG vehicle maintenance/repair		Maintenance and repair of DFG vehicles used for Enhanced Land Management Activities	Miles	2,568	\$ 0.56			\$ 1,425.24		This cost accounts for oil changes, tire rotations and minor repairs for vehicles and is calculated at the \$0.555/mile reimbursement rate the State pays for personal vehicle use
DFG vehicle fuel		Fuel costs associated with DFG vehicle use for Enhanced Land Management Activities	Miles	9	\$ 95.00			\$ 807.50		This is based on 9 tanks of gas to travel 2,568 miles (300miles/tank) for staff based out of Chico or Rancho Cordova, CA. Butte Creek to Rancho Cordova is 107 miles, one way.
Enforcement Presence (Activity X)		warden patrol, coordination with local authorities	Hour	40	\$ 54.62			\$ 2,184.80		This estimate could be more or less based on the enforcement needs identified
Seasonal employee for maintenance/other tasks (Activity IV & V )		Seasonal help may be solicited to provide assistance to permanent staff on various activities	Hour	100	\$ 20.00			\$ 2,000.00	\$ 2,000.00	
Monthly Inspections (Activity IV & V )		biologists from fisheries, wildlife, and lands will conduct inspections (may include wardens)	Hour	96	\$ 59.85			\$ 5,745.60		This accounts for a 8 hour work day (travel and time to inspect property) per month at a rate of \$59.85/hour (8*12*\$59.85=\$5,745.60)

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Develop Land Management Plan (Activity I)	development of land management plan and EIR, review and modification of documents, CEQA fees, public scoping meetings	Each	1	\$ 100,000.00	\$ 100,000.00		\$ 100,000.00	This estimate is based on a Mitigated Negative Declaration and could be higher if an Environmental Impact Report is required. Cost shares could be negotiated with the DFG and the Stewardship Council if grant funding is received by the DFG
Ecological Reserve Designation Process (Activity I & II)	staff will coordinate on and prepare regulations proposed for Title 14, California Code of Regulations, and present the Upper Butte Creek Canyon Ecological Reserve proposal to the Fish and Game Commission	Hour	40	\$ 59.85	\$ 2,394.00	\$ 2,394.00		
Baseline Report (Activity III)	species/habitat inventory	Each	1	\$ 75,000.00	\$ 75,000.00			
Archaeological Survey (Activity XII)	survey to provide information to the lead agency on cultural resources for the CEQA document	Each	1	\$ 50,000.00	\$ 50,000.00		\$ 50,000.00	Surveys may not be needed if existing surveys are available
Wildlife Survey (Activity VIII)	East Tehama Deer Herd	Hour	150	\$ 59.85		\$ 8,977.50		
Invasive Species Surveys ( Activity IX)	aquatic and terrestrial inventory of invasive species	Hour	70	\$ 59.85		\$ 4,189.50	\$ 4,189.50	
Invasive Species Management (Activity IX)	development invasive species management plan and incorporate into the land management plan	Hour	150	\$ 59.85	\$ 8,977.50		\$ 8,977.50	
Fisheries Assessment (Activity VI)	acquire population data, including: annual population estimate and size and age class structure	Hour	560	\$ 59.85		\$ 33,516.00		
Creation & Installation Of Angler Survey Boxes (Activity VII)		Each	3	\$ 300.00	\$ 9,000.00		\$ 9,000.00	
Improve parking areas and road/trail networks (Activity XIII)	Project Related Costs	Each	1	\$ 75,000.00	\$ 75,000.00		\$ 75,000.00	This is an estimate, actual costs will be based on a third party estimate
Adaptive Management	staff and conservation partner annual coordination to evaluate management techniques and adapt tasks as necessary	Hour	40	\$ 59.85		\$ 2,394.00	\$ 2,394.00	
<b>A. Total Enhanced Land Management Activities</b>					\$ 320,371.50	78,694	242,978	8,584

B. Capital Improvements



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Task	Description	Unit of Measure	Number of Units	Cost/Unit		One-Time Costs	Ongoing Annual Costs	SC Funding Request		Comments
								One-Time Costs	Ongoing Annual Costs	
Property Owner Signage (Activity XIII)	post property owner signs along boundary and at entrances	Each	20	\$ 200.00		\$ 4,000.00		\$ 4,000.00		No labor costs associated with this task as it could be conducted in conjunction with the posting of angling signs
Angling Signage (Activity XI & XIII)	post angling regulation signs at heavily used areas	Each	10	\$ 10.00		\$ 100.00		\$ 100.00		installation of sign would occur during monthly inspection
Angler Survey Box (Activity VII)	check the angler survey box	Hour	5	\$ 59.85			\$ 299.25			This task is include in time spent on property during the monthly inspection
Graphic Interpretative Signs (Activity XIII)	signs to describe the wildlife, fisheries, plant and cultural resources on site and historical uses	Each	3	\$ 4,500.00		\$ 13,500.00		\$ 13,500.00		
Install/Repair/Remove Fencing (Activity XIII)	install fencing to protect resources from degradation (e.g. cultural sites, the stream channel, and campground)	Each	1	\$ 50,000.00			\$ 50,000.00		50,000	
Improve parking areas and road/trail networks (Activity XIII)	develop engineering and cost estimates to implement plans to improve parking areas, roads and establish new trails to minimize public use impacts	Hours	200	59.85		\$ 11,970.00		\$ 11,970.00		This task should also include CEQA fees of \$120,000 if the plans are not incorporated into CEQA completed for the Wildlife Area Management Plan
Bid Process Implementation for Capital Improvement Activities	Staff of various levels to acquire bids and work through process to contract out capital improvement work to be performed	Hours	100	62.75			\$ 6,275.00			
B. Total Capital Improvements						\$ 29,570.00	56,574	29,570	50,000	
C. Other										
Task	Description	Unit of Measure	Number of Units	Cost/Unit		One-Time Costs	Ongoing Annual Costs	SC Funding Request		Comments
								One-Time Costs	Ongoing Annual Costs	
C. Total Other						\$ -	-	-	-	
TOTAL PROJECT EXPENSES						\$ 349,941.50	135,268	272,548	58,584	
NET REVENUE/(EXPENSE) - ENHANCEMENT OF BENEFICIAL PUBLIC VALUES						\$ (272,548.00)	(58,584)	272,548	212,663	

Additional Notes: